

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ASHER BRONSTIN, individually and	:	CIVIL ACTION NO. 1:25-CV-927
on behalf of all others similarly	:	
situated,	:	(Judge Neary)
	:	
Plaintiff	:	
	:	
v.	:	
	:	
VIASAT, INC.,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 19th day of August, 2025, upon consideration of the motion (Doc. 11) to dismiss filed by ViaSat, Inc. pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and further upon consideration of the amended complaint (Doc. 21) filed by plaintiff Asher Bronstin, and the court observing that an amended pleading, unless it “specifically refers to or adopts the earlier pleading,” supersedes the original as the operative pleading for the lawsuit, W. Run Student Hous. Assocs., LLC v. Huntington Nat’l Bank, 712 F.3d 165, 171 (3d Cir. 2013) (quoting New Rock Asset Partners, L.P. v. Preferred Entity Advancements, Inc., 101 F.3d 1492, 1504 (3d Cir. 1996)); see also 6 CHARLES ALAN WRIGHT AND ARTHUR R. MILLER, ET AL., FEDERAL PRACTICE AND PROCEDURE § 1476 (3d ed. 2018), and the court thus finding that the amended complaint renders the original complaint a legal nullity, it is hereby ORDERED that:

1. ViaSat's motion (Doc. 11) to dismiss the complaint (Doc. 1) is **DENIED** as moot and without prejudice.

2. The pending motion (Doc. 18) to bifurcate discovery is DENIED without prejudice to renew.
3. The stay of discovery is lifted.
4. ViaSat shall respond to the amended complaint (Doc. 21) in accordance with the Federal Rules of Civil Procedure.

/S/ KELI M. NEARY

Keli M. Neary
United States District Judge
Middle District of Pennsylvania